

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-21 are pending in the present application. Claims 1-3, 6, 9-11, 14 and 17-21 have been amended by the present amendment without introducing new matter.

In the outstanding Office Action, Claims 19 and 20 were rejected under 35 U.S.C. § 112, first paragraph; Claims 19 and 20 were rejected under 35 U.S.C. § 112, second paragraph; and Claims 1-18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kambayashi et al. (U.S. Patent 6,477,649, herein "Kambayashi").

At the outset, Applicant respectfully requests that the Examiner acknowledge as considered the IDS filed June 29, 2001, and that the Examiner acknowledge the claim to priority and the receipt of the priority documents. Copies of that filed IDS and the Official Filing Receipt, and of the filing receipt indicating their filings, are provided with the present response.

In response to the rejection of Claims 19 and 20 under 35 U.S.C. § 112, first and second paragraphs, Claims 19 and 20 have been amended to clarify the subject matter recited therein. Applicant notes that the subject matter "required to select the contents information" recited at line 9 of Claim 19 and the subject matter "required to decrypt the encrypted contents information" recited at line 9 of Claim 20 correspond to "identification information," as clarified by the present amendment. No new matter is added.

Accordingly, it is respectfully requested these rejections be withdrawn.

Amended Claims 1-3, 6, 9-11, 14 and 17-21 find support at least in Figure 9 and the description corresponding to Figure 9, at page 24, lines 3-8 of the specification, at page 28, line 14 to page 30, line 20 of the specification, at page 36, lines 1-9 of the specification, and at page 54, lines 10-19 of the specification, for example. No new matter is added.

In response to the rejection of Claims 1-18 under 35 U.S.C. § 103(a) as unpatentable over Kambayashi, Applicant respectfully traverses the rejection as discussed next.

Amended Claims 1 and 2 recite a broadcast receiving method that includes, among other things, periodically updating contract information stored in a receiver to contract information received via a bi-directional communications channel, and sending back a receipt acknowledgement from the receiver via the bi-directional communications channel when the contract information in the receiver is updated.

Amended Claims 3 and 6 recite a broadcast receiving apparatus that includes, among other things, an update device that periodically updates contract information in a storage device to contract information received via a bi-directional communications channel, and a certifying device that sends back a receipt acknowledgement via the bi-directional communications channel when the contract information in the storage device is updated.

Amended Claims 9, 10, 17 and 18 recite a method of distributing information between a distributor and a receiver that includes, among other things, sending back a receipt acknowledgement from the receiver via a bi-directional communication channel when the contract information of the second control information, contract information of the decrypt control information, the at least some contents of the first control information, or the contract information of the decrypt control information is updated.

Amended Claims 11 and 14 recite an information distributing apparatus communicating with a receiver that includes, among other things, a distributor or a broadcaster including a subscriber database storing subscriber data including a transmission completion flag configured to be set to a transmission completion state in response to an acknowledgement received from the receiver.

First, it is noted that Applicant of the present invention recognized that one of the disadvantages associated with a conventional broadcast system such as a pay broadcast

system is that information for a particular individual subscriber is repetitively sent by a broadcaster or a distributor during a required period until information indicating whether that subscriber received the information or not is obtained. As a result, these repetitive transmissions of information unnecessarily take up a transmission band.¹

Therefore, in light of the above disadvantage, present Applicant devises a method including, among other things, sending back a receipt acknowledgement from a receiver via a bi-directional communications channel, and an apparatus performing such method to avoid or at least mitigate the unnecessary take up of a transmission band caused by repetitive transmissions.

Turning to the outstanding rejection, although Kambayashi teaches transferring information through a network such as the Internet or by broadcasting, Kambayashi fails to disclose or suggest sending back a receipt acknowledgement via a bi-directional communications channel.² More specifically, Kambayashi fails to disclose or suggest the limitation, "... sending back a receipt acknowledgement from the receiver via the bi-directional communications channel when the contract information of the first control information is updated ..." as recited in amended Claim 1. Other independent Claims 2, 3, 6, 9, 10, 17, 18 and 21 recite substantially the same limitation.

Further, Kambayashi does not even address a need to avoid or mitigate an unnecessary take up of a transmission band caused by repetitive transmissions.

Furthermore, the Office Action states that Kambayashi discloses updating information.³ Kambayashi, at column 38, lines 21-30, discloses that contract information is sent to an updated information generation section to arrange information necessary for

¹ See also the specification at page 3, lines 17-25, for example.

² See also page 4, lines 13-17, of the Office Action of June 8, 2004.

³ See page 4, lines 4-8, of the Office Action of June 8, 2004.

updating a contract and generate updated information for updating the contract information if the contract is invalid.

However, Kambayashi fails to disclose or suggest that contract information is updated *periodically*. More specifically, Kambayashi fails to disclose or suggest the limitation, "... *periodically* updating the contract information of the first control information in the storage device to contract information contained in the second control information ..." (emphasis added) as recited in amended Claim 1. Other independent Claims 2, 3, 6 and 21 recite substantially the same limitation.

With respect to amended Claims 11 and 14, Kambayashi fails to disclose or suggest the limitation, "... the distributor including a subscriber database storing subscriber data including a transmission completion flag configured to be set to a transmission completion state in response to a receipt acknowledgement received from the receiver" as recited in amended Claim 11, and the limitation, "... the broadcaster including a subscriber database storing subscriber data including a transmission completion flag configured to be set to a transmission completion state in response to a receipt acknowledgement received from the receiver" as recited in amended Claim 14.

Accordingly, it is respectfully submitted that independent Claims 1-3, 6, 9-11, 14 and 17-21 and each of the claims depending therefrom are believed to be non-obvious and patentable over Kambayashi, and the withdrawal of the rejection is respectfully requested.

Consequently, in light of the above discussion, and in view of the present amendment, Applicant respectfully submits that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited.

Respectfully submitted,

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